

**MINUTES OF ORDINARY COUNCIL MEETING OF THE CESSNOCK CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, 21 NOVEMBER 2018,
COMMENCING AT 6.30 PM**

PRESENT: His Worship the Mayor, Councillor R Pynsent (in the Chair) and Councillors Olsen, Doherty, Dunn, Fagg, Stapleford, Fitzgibbon, Gray, Dagg, Sander and Lyons.

IN ATTENDANCE: General Manager
Director Planning and Environment
Director Corporate and Community Services
Director Works and Infrastructure
Finance and Administration Manager
Management Accountant
Financial Accountant
Media & Communication Officer
Corporate Governance Officer

APOLOGY:

MOTION **Moved:** Councillor Sander
 Seconded: Councillor Gray

675

RESOLVED that the apology tendered on behalf of Councillor Suvaal, for unavoidable absence, be accepted and leave of absence granted.

That Councillor Burke's Leave of Absence be noted.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

MINUTES:**MOTION**

Moved: Councillor Doherty
Seconded: Councillor Stapleford

676

RESOLVED that the Minutes of the Ordinary Meeting of Council held on 7 November 2018, as circulated, be taken as read and confirmed as a correct record.

FOR**AGAINST**

Councillor Olsen
Councillor Doherty
Councillor Dunn
Councillor Fagg
Councillor Stapleford
Councillor Fitzgibbon
Councillor Gray
Councillor Dagg
Councillor Sander
Councillor Lyons
Councillor Pynsent

Total (11)**Total (0)****CARRIED UNANIMOUSLY**

DISCLOSURES OF INTEREST

DISCLOSURES OF INTEREST NO. DI20/2018

SUBJECT: DISCLOSURES OF INTEREST

NIL

PETITIONS

Councillor Lyons presented a petition signed by 46 residents of Ellalong regarding nuisance cats.

ADDRESS BY INVITED SPEAKERS

NIL

CONSIDERATION AND ADOPTION OF ALL REPORTS BY ENGLOBO OR INDIVIDUALLY WITH NOMINATED EXCEPTIONS

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
677

RESOLVED

That having read and considered the reports in the agenda related to items:-

CC86/2018 - Schedule of Ordinary Meetings of Council Dates 2019
AQ117/2018 - Submission on Branxton / Greta Cycleway
AQ118/2018 - St Philips Christian College Traffic Solutions
AQ119/2018 - Sealing Road Corner Mitchell Avenue
CO42/2018 - Cessnock Correctional Centre Access Road

Council adopt the recommendations as printed for those items.

FOR	AGAINST
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Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

MOTIONS OF URGENCY

MOTIONS OF URGENCY NO. MOU20/2018

SUBJECT: MOTIONS OF URGENCY

NIL

GENERAL MANAGER'S UNIT

GENERAL MANAGER'S UNIT NO. GMU24/2018

SUBJECT: INVITATION TO JOIN REGIONAL CITIES NSW

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Sander
678

RESOLVED

1. That Cessnock City Council join Regional Cities NSW with a formal review of Council's membership to occur after 30 June 2020, to ensure that the RCNSW is meeting its stated objectives.
2. That the \$5,000 for membership of Regional Cities NSW for the period 1 January 2019 to 30 June 2019 of \$5,000 be funded from within the existing Economic Development operational budget for 2018-19.
3. That \$10,000 be considered for inclusion in the draft 2019-20 Operational Plan for Council's 2019/2020 full year membership of the Regional Cities NSW.
4. That any requests for financial contributions over and above the annual membership fee to Regional Cities NSW be reported to Council for further consideration.

FOR	AGAINST
Councillor Doherty	Councillor Olsen
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (10)	Total (1)

CARRIED

CORPORATE AND COMMUNITY

CORPORATE AND COMMUNITY NO. CC82/2018

SUBJECT: RICHMOND MAIN COLLIERY - PROGRESS REPORT

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Sander
679

RESOLVED

1. That Council note the progress of actions for Richmond Main Colliery and that a further report be presented to Council in February 2019.
2. That Council note the cessation of commercial operations within Precinct B.
3. That Council note the progress in regards to activities undertaken to clean up the precinct, and in particular the efforts of the Richmond Main Preservation Co-operative Society Limited over the last 6 months.
4. That Council, in not currently being able to fund the remediation works required for the Locomotive Shed and Store and/or Power House Store buildings, commence discussions with the Richmond Main Preservation Co-operative Society Limited Board to establish the feasibility of members of the Society and its community partners undertaking the building repair works in accordance with the Structural Assessment Building Report, and once works are completed to a standard agreed by Council, the Society be allowed to re-occupy the buildings for operational purposes as part of a licence agreement.
5. That Council note grounds maintenance within Precinct B and C has historically been undertaken by the Richmond Main Preservation Co-operative Society Limited and permitting ongoing access to these Precincts for this purpose will be discussed with the Society as part of a new licence agreement.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC83/2018

SUBJECT: QUARTERLY BUDGET REVIEW STATEMENTS - SEPTEMBER 2018

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Sander
680

RESOLVED

1. That Council note the September 2018 Quarterly Budget Review Statements were presented to and endorsed by the Audit and Risk Committee on 5 November 2018.
2. That Council approve the variations to the income, expenditure and capital budgets as detailed in the September 2018 Quarterly Budget Review Statements.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC84/2018

SUBJECT: SEPTEMBER 2018 QUARTERLY REVIEW OF THE 2017-21 DELIVERY PROGRAM

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Fitzgibbon
681
RESOLVED

1. That Council note the progress in implementing the 2017-21 Delivery Program as at 30 September 2018.
2. That Council endorse the correction in the 2017-21 Delivery Program:
 - a. 4.1.4.a From Bridge Street Weston to Bridge Street Cessnock.
3. That Council endorse the following change to the Recreation Facilities Construction Program:
 - a. Remove: CFR-2019-004 Various – Jeffries Park (Abermain), Brunner Park (Branxton), Harle St (Abermain) – Playground replacement program
 - b. Add: CFR-2019-004 Jeffries Park (Abermain) – Playground replacement program
4. That Council endorse deferring 2017-21 Delivery Program actions 3.1.6.a - Adopt a Climate Change Policy and 3.1.6.c – Adopt a Contaminated Land Policy and Procedures to the 2019-20 Operational Plan.
5. That Council note the progress of carryover deliverables.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC85/2018

SUBJECT: COUNCIL RECESS PERIOD

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Sander

1. That Council be in recess from 13 December 2018 to 6 February 2019.
2. That Council pursuant to Section 377 of the Local Government Act 1993, delegate authority to the Mayor and/or Deputy Mayor, and the General Manager jointly to exercise any function of Council during the recess period.
3. That a full list of any matters considered under such delegated authority be submitted for Council's information to the first 2019 Ordinary Meeting of Council scheduled to be held on 6 February 2019.

AMENDMENT **Moved:** Councillor Olsen

1. That Council be in recess from 21 December 2018 to 2 January 2019.
2. That Council pursuant to Section 377 of the Local Government Act 1993, delegate authority to the Mayor and/or Deputy Mayor, and the General Manager jointly to exercise any function of Council during the recess period.
3. That a full list of any matters considered under such delegated authority be submitted for Council's information to the first 2019 Ordinary Meeting of Council scheduled to be held on 6 February 2019.

The Amendment lapsed for want of a Secunder.

The Motion was then **PUT** and **CARRIED**.

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Sander
682
RESOLVED

1. That Council be in recess from 13 December 2018 to 6 February 2019.
2. That Council pursuant to Section 377 of the Local Government Act 1993, delegate authority to the Mayor and/or Deputy Mayor, and the General Manager jointly to exercise any function of Council during the recess period.
3. That a full list of any matters considered under such delegated authority be submitted for Council's information to the first 2019 Ordinary Meeting of Council scheduled to be held on 6 February 2019.

FOR	AGAINST
Councillor Doherty	Councillor Olsen
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (10)	Total (1)

CARRIED

CORPORATE AND COMMUNITY NO. CC86/2018

SUBJECT: SCHEDULE OF ORDINARY MEETINGS OF COUNCIL DATES 2019

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
683

RESOLVED

That Council adopt the following schedule of Ordinary Meetings of Council for 2019:

6 February	20 February
6 March	20 March
3 April	17 April
1 May	15 May
5 June	19 June
3 July	17 July
7 August	21 August
4 September	18 September
2 October	23 October
6 November	20 November
11 December	

FOR

AGAINST

Councillor Olsen
Councillor Doherty
Councillor Dunn
Councillor Fagg
Councillor Stapleford
Councillor Fitzgibbon
Councillor Gray
Councillor Dagg
Councillor Sander
Councillor Lyons
Councillor Pynsent
Total (11)

Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC87/2018

SUBJECT: INVESTMENT REPORT - OCTOBER 2018

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Sander
684

RESOLVED

That Council receive the report and note the information.

FOR	AGAINST
Councillor Doherty	Councillor Olsen
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (10)	Total (1)

CARRIED

CORPORATE AND COMMUNITY NO. CC88/2018

SUBJECT: RESOLUTIONS TRACKING REPORT

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Sander
685

RESOLVED

1. That Council receive the report and note the information.
2. That the General Manager write to the State Member for Cessnock referring to point 5 of the resolution of Report Number BN27/2018 asking for an update on the outcomes of the consultation meetings.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY NO. CC89/2018

SUBJECT: LOCAL GOVERNMENT NSW TOURISM CONFERENCE 2019

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Sander
686

RESOLVED

That Councillors interested in attending the LG NSW Tourism Conference 2019 make application to the General Manager by Friday 30 November 2018 so that Council can determine attendees at the Council meeting of 12 December 2018.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE

WORKS AND INFRASTRUCTURE NO. WI90/2018

SUBJECT: HUNTER VALLEY AIR SHOW

MOTION **Moved:** Councillor Dagg **Seconded:** Councillor Sander
687

RESOLVED

1. That Council supports the proposed Paul Bennet Airshows event by providing in-kind sponsorship as detailed in the body of this report and;
2. That Council allocates \$5,400 from the Tourism Related Projects budget to fund the in-kind sponsorship.

FOR	AGAINST
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Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

WORKS AND INFRASTRUCTURE NO. WI91/2018

SUBJECT: MINUTES OF LOCAL TRAFFIC COMMITTEE HELD ON 15 OCTOBER 2018

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Stapleford
688
RESOLVED

That the recommendations of the Local Traffic Committee held on 15 October 2018 be adopted as a resolution of the Ordinary Council being:

1. TC45/2018 – That angle parking, regulatory signage and line marking be installed on Broke Road, Pokolbin in accordance with the Broke Road Pokolbin _ Signage & Line Marking Diagram provided with the Traffic Committee report.
2. TC46/2018 – That Council authorise installation of an indented parking bay, and the removal of regulatory parking controls, in Pokolbin Street, Aberdare, in accordance with the Pokolbin Street Aberdare _ Signage & Parking Bay Diagram provided with the Traffic Committee report.
3. TC47/2018 – That the matter be referred back to the Local Traffic Committee to consider the option of creating a one way street along Eleventh Avenue from Millfield Road to Walmsley Street, Millfield to alleviate the safety concerns relating to the Eleventh Avenue and Millfield Road intersection.
4. That the General Manager investigate and develop suitable policies and procedures regarding meeting protocols for the Local Traffic Committee meetings and in particular the moving and seconding of recommendations.
5. TC44/2018
 - That No Stopping restrictions be installed on Percy Street, Cessnock in accordance with Percy Street Cessnock _ Signage & Line Marking Diagram provided with the Traffic Committee report; and
 - That Council note the future treatments proposed in the adopted Cessnock LGA Traffic and Transport Strategy for the Percy Street, West Avenue and Wollombi Road intersections.

FOR	AGAINST
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Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	

	Total (0)
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CARRIED UNANIMOUSLY

BUSINESS OF WHICH WRITTEN NOTICE HAS BEEN GIVEN

BUSINESS WITH NOTICE NO. BN34/2018

SUBJECT: GREENFIELD HOUSING CODE CONSULTATION

MOTION **Moved:** Councillor Fitzgibbon **Seconded:** Councillor Gray
689

RESOLVED

1. That the General Manager write to the Department of Planning and Environment requesting membership of the Complying Development Expert Panel (CDEP) for Council staff to ensure the voice of Cessnock City Council and regional NSW is considered in future planning policies and directions.
2. That the minutes of these meetings be distributed by Councillor Memorandum.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

BUSINESS WITH NOTICE NO. BN35/2018

SUBJECT: DUAL OCCUPANCY DEVELOPMENT

MOTION **Moved:** Councillor Gray **Seconded:** Councillor Sander
690

RESOLVED

1. That Council note the current heightened level of community concern over the clustering of dual occupancy development in the Heddon Greta area.
2. That the General Manager arrange a briefing and provide a report to Council on the current permissibility of dual occupancy development in the R2 Low density residential zone and ways that this could be better controlled to prevent unsatisfactory clustering and poor development outcomes.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

ANSWERS TO QUESTIONS FOR NEXT MEETING

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ117/2018

SUBJECT: SUBMISSION ON BRANXTON / GRETA CYCLEWAY

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ118/2018

SUBJECT: ST PHILIPS CHRISTIAN COLLEGE TRAFFIC SOLUTIONS

The answer was noted.

ANSWERS TO QUESTIONS FOR NEXT MEETING NO. AQ119/2018

SUBJECT: SEALING ROAD CORNER MITCHELL AVENUE

The answer was noted.

QUESTIONS FOR NEXT MEETING

Councillor Di Fitzgibbon

CHRISTMAS BANNERS

Councillor Fitzgibbon asked why the Christmas banners were not put up when the Remembrance Day banners were removed.

Councillor Di Fitzgibbon

CHRISTMAS LIGHTS AT MAITLAND RAILWAY STATION

Councillor Fitzgibbon asked if council can ask Maitland Council for all the details on the beautiful lights hanging in the trees at the Railway Station.

Councillor Anne Sander

CESSNOCK LGA SIGN - BUCHANAN

Councillor Sander asked if a Cessnock Local Government Area entry sign can be placed on Buchanan Road at our boundary.

Councillor Ian Olsen

COUNCILLORS CHRISTMAS FUNCTION

Councillor Olsen asked if his share of the funds to be spent at the Councillor Christmas Function could be donated to Diabetes Australia.

Councillor Ian Olsen

RESERVES USAGE

Councillor Olsen asked for a written explanation on where Council is getting the \$5m from the investments that Council have, where it is coming from and where it is showing the \$400,000 that has already been spent.

Councillor Mark Lyons

BUSH REGENERATION GRANTS

Councillor Lyons asked if there are any Bush Regeneration Grants that Council can apply for.

Councillor Allan Stapleford

SANDSTONE KERB AND GUTTER AT BELLBIRD

Councillor Stapleford asked how much sandstone kerb and gutter there is at Bellbird and is it Heritage Listed.

CORRESPONDENCE

CORRESPONDENCE NO. CO42/2018

SUBJECT: CESSNOCK CORRECTIONAL CENTRE ACCESS ROAD

MOTION **Moved:** Councillor Doherty **Seconded:** Councillor Gray
691

RESOLVED

That the correspondence be noted.

FOR	AGAINST
Councillor Olsen	
Councillor Doherty	
Councillor Dunn	
Councillor Fagg	
Councillor Stapleford	
Councillor Fitzgibbon	
Councillor Gray	
Councillor Dagg	
Councillor Sander	
Councillor Lyons	
Councillor Pynsent	
Total (11)	Total (0)

CARRIED UNANIMOUSLY

COUNCILLOR'S REPORTS

Councillor Dagg

Association of Mining & Energy Related Councils

Elected to the Executive Committee which will meet separately to discuss future strategic planning and actions going forward. We received an address by Dr Juan Castilla of University of Wollongong regarding a potential fellowship, to be funded by the MERC, which will look at Participatory Modelling in two case studies involving either wind farming, coal seam gas development or water, and specifically collaborative community planning and decision-making in the digital age, and specifically seeking out a triple bottom line in those projects. The fellowship is yet to be decided on. Otherwise, we will be meeting again in February in Sydney where we will seek an audience with the major parties to discuss their position leading into the state election, specifically in relation to Resources for Regions and whether they will take on our concerns with the current funding model.

Mine Subsidence Board

Today was the last meeting of the MSB before it is wound up on the 31st December. We had an update on contentious claims and high risk subsidence together with instruction on procedures and collection of the colliery levies once the Board is disbanded in the New Year.

Keep Australia Beautiful Tidy Town Awards

As everyone can see from the awards displayed in front, Cessnock has another good news story that it can share with the community. Cessnock was very successful at the Keep Australia Beautiful Tidy Towns Awards with a number of wins acknowledging community groups and projects such as Greta Museum, Yengo Gallery, Wollombi Awards Display Board, Cessnock Regional Art Gallery and Council's own Waste Management Centre Transfer Station, the Revolving Energy Fund Energy Efficiency Projects, and its Biodiversity Communications Engagement Strategy. But most importantly, Cessnock was awarded the overall winner of the 2018 Tidy Town Award which qualifies Cessnock to represent NSW in the Keep Australia Beautiful National Tidy Towns Awards. I was honoured to be present and accept the award on Council's behalf, it was incredibly satisfying being able to stand in front of a full room and speak about how good this town is. We should all be proud to live in Cessnock, and this award represents more than just collecting rubbish from the side of the road, it is an acknowledgement of this Council's initiative to engage the community to make our region more livable, attractive and sustainable and we should all be incredibly proud of the staff for their award-winning work, once again. Well done.

Councillor Gray

New Maitland Hospital Forum

Councillor Gray advised that they are currently still in design mode for the Hospital itself and have commenced enabling works, round-a-bout etc. Multiplex is the builder and is setting up a connectivity centre for employment that will link in with all the service and job providers with a focus on aboriginal employment with 180 trainees and approximately 140 long term unemployed. The hospital will be 339 bed capacity and there are no plans to hold onto the Old Maitland Hospital. Rehabilitation will be staying at Kurri Kurri Hospital.

Councillor Lyons

Postie Bike Grand Prix

Councillor Lyons advised that he attended the 5th Annual Australian Postie Bike Grant Prix where the Inaugural SMW Drilling Services Female Race was run, which was well supported and Alice O'Connor took out first prize.

The Meeting Was Declared Closed at 7.26pm

CONFIRMED AND SIGNED at the meeting held on 12 December 2018

.....**CHAIRPERSON**

.....**GENERAL MANAGER**